

# ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

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2003 AND 2004 WORK PLAN  
FOR THE GROUP OF EXPERTS ON MONEY LAUNDERING OFFENSES  
APPROVED DURING THE THIRTY-SECOND REGULAR SESSION  
HELD IN MEXICO IN DECEMBER 2002

Based on the proposals received from Argentina, Bolivia, United States, Mexico, and Uruguay, the Secretariat presents this reference document aimed at consolidating items for a 2003-2004 Work Plan of the Group of Experts on Money Laundering. (See documents CICAD/doc.1202/02, add.1 and add. 2)

Two types of proposals can be distinguished in the documents received:

- Proposals of an institutional or permanent nature
- Specific proposals to be discussed at a meeting of the Group.

### **Proposals of an institutional or permanent nature**

This group includes some of the suggestions put forward by Uruguay, Argentina, and, to a certain extent, United States. Thus Argentina proposes a Standing Agenda for the Group in order to “institutionalize it,” because, according to that country, the Group “should consolidate itself as the Hemispheric Forum for discussion, analysis, and conclusions regarding efforts to combat money laundering and terrorist financing.” (See the Note from Argentina, CICAD/doc.1202/02 add 2).

Along similar lines, Uruguay suggested “appointing permanent working groups on different subjects (predicate offenses, persons responsible, FIUs, typologies, etc.), which are connected via e-mail and assume responsibility for studying such topics, under the overall coordination of the Head of CICAD’s Anti-Laundering Unit” (See the Note from Uruguay, CICAD/doc.1202/02).

For its part, United States requests that the Group coordinate with the Inter-American Committee against Terrorism, which suggests a permanent activity.

### **Specific proposals to be discussed at a meeting of the Group**

The specific proposals for the next meeting of the Group can be subdivided as follows:

#### **I. Regulatory activities such as:**

- Procedures for regulating and inspecting exchange bureaus (Bolivia)
- The obligation of agencies sending remittances abroad (couriers) to report any suspicious operations (Argentina)
- Rules governing the activities of accountants, attorneys, notaries, auditors, and other independent professionals (Argentina)
- Duty to report and the right to privacy (Argentina).

#### **II. Activities designed to improve laws and mechanisms for combating money laundering:**

- Review of provisions in the Model Regulations on the administrative freeze or blocking of terrorist-related assets, in accordance with Resolution 1373 of the United Nations Security Council (USA)

- Review of provisions in the Model Regulations on forfeiture of assets, covering the following points:
  1. Forfeiture of assets where the criminal has died or is a fugitive (USA)
  2. Mutual legal assistance in forfeiture proceedings (USA)
  3. Development of model mutual legal assistance requests in forfeiture and money laundering proceedings (USA)
  
- \* Review and recommendations of national laws on the following points:
  1. The use of special investigative techniques – undercover operations, controlled deliveries, electronic surveillance, and the use of informants – for cases of money laundering and financing of terrorism (USA, Mexico)
  2. Legislation governing proof of the nexus to predicate offenses in cases of money laundering
  3. The definition of terrorist financing as a predicate offense (USA)
  
- \* Mechanisms to enable authorities in the office of the Attorney General (*Procuración de Justicia*) to exchange information on current investigations with their international counterparts (Mexico).

### III. Study and analysis of **prior offenses** and their impact on money laundering

- The offense of corruption (Mexico, United States, and Uruguay)
- Prevalence of predicate money laundering offenses in the Hemisphere, in order to identify forms of money laundering and regional tendencies (Uruguay)

### IV. Study of **typologies** of asset laundering

- Exchange bureaus (Bolivia)
- Financing of terrorism (Bolivia)
- Legal repatriation of capital (Mexico)

Clearly, the Work Plan contains a large number of points to be discussed by the Group of Experts, which suggests that they could not be adequately dealt with at just one meeting. Here it might be worth considering the proposals to “institutionalize” the Group in such a way that the contents of the Work Plan can be fitted into a regular, full-time agenda.

**Note: Argentinean proposal on institutionalization of the group was not approved**